

PROSECUTOR 62

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Claims Against County/rls/misc
Kittitas County Auditor

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KITTITAS COUNTY CLAIM FOR DAMAGES

Return to: County Auditor
205 W 5th, Suite 105
Ellensburg, WA 98926



Instructions:

Please read the entire form before completion. Fill out each question as completely as possible, to the best of your ability. Do not hesitate to use the back side of this form if you need more than the space provided. An incomplete response may delay the processing of your claim.

1. Name (Including spouse, if married): MR FRANK KOSTENIKO AND
MRS ALMA KOSTENIKO
2. Date of Birth: 11/04/64
3. Phone #: (Home): 619 435 (Work): 818
() 2865 () 402-6561 818/262-9440
4. Address (include former address if at present address for less than 6 months):
LCDR KOSTENIKO, UNIT 3240 Box 104
DPO AA 34021
5. Date of Incident: JAN 7th '09
6. Location of Incident: CLE ELUM WA

7. Describe in detail the defect which caused the injury: SEE ATTACHED

8. Describe in narrative form and in detail exactly how the incident occurred: SEE ATTACHED

9. Was claim investigated by a police officer? NO

Sheriff _____ State Patrol _____ City Police _____

10. Description of claimant's vehicle: DNA Make _____ Year _____

Model _____ License No. _____

11. Describe what you did after the accident occurred: N/A

12. Describe the conversations you had, if any, with County personnel during or after the incident occurred: N/A

13. Describe the damages or injuries which you sustained as a result of the incident: APPROX \$29,000 IN LAND PREP & DRIVEWAY LOSSES. DELAY OF APPROX 2 YEAR OF HOME BUILDING DUE TO LOSS OF TIME, LENDER APPROVALS, TRAVE TO THE SITE AND PRESCRIBED SOIL PERK TEST, FLOOD SET BACKS, ETC...

14. What is the amount of damages claimed? (Include estimates and bills, if available): SEE ABOVE. TOTAL DAMAGES ARE NOT KNOWN BUT INCLUDE STIGMATIZATION OF PROPERTY. ESTIMATES TO FOLLOW

15. How did you identify the County as the party responsible for your damage? SEE ATTACHED

16. List the names and addresses of all witnesses to the incident: NOT REQUIRED
By STATUTE

17. Are you covered by insurance? NOT REQUIRED
By STATUTE If yes, who is your insurance
agent/carrier?

Dated this _____ Day of 22 DEC 2010, 20 ____.

[Signature]
Signature of Claimant

Notary

REPUBLIC OF NICARAGUA
CITY OF MANAGUA
EMBASSY OF THE UNITED
STATES OF AMERICA

[Signature]
Verified signature of Claimant

Subscribed and sworn (affirmed) to before me this _____ Day of 22 DEC 2010, 20 ____.



[Signature]
Notary Public in and for the State of Washington
Residing at Amy E. Eagleburger
Vice Consul

Answers to Questions 7, 8 and 15:

Claimants live along or near the Teanaway River in the vicinity of Washington State Highways 10 and 970, and Lambert Road and Quail Valley Road. These public highways and Kittitas County roads are protected from the Teanaway River by a series of levees and dikes designed, constructed, improved, maintained, and repaired by the State of Washington and Kittitas County, or their predecessors in interest. These river control measures diverted and altered the natural watercourse of the Teanaway River. During high water events, the system is designed to confine the river to its main channel, thereby reducing its flood conveyance capacity.

On or about January 7, 2009, a high water event in the Teanaway River caused the failure of certain levees and dikes. The river flowed out of its confined channel and onto and across Claimants' properties, causing significant damage.

The State and County agencies responsible for the Teanaway River knew or should have known of the insufficiencies of the flood control projects along the river and the dangers posed to Claimants' properties. Claimants were not told of the dangers, nor were their properties in designated floodplains or floodways.